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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SITE: 46 (12)
SPEC: 1
OTHER:

U.S. ENVIRONMENTAL PROTECTION AGENCY
\$250,000 EMERGENCY ACTION MEMORANDUM/INITIAL POLLUTION REPORT

Date: June 25, 2004

Subject: **NOTIFICATION OF \$250,000 ACTIVATION**
J&W Pallet and Drum Co. (Site)
Atlanta, Fulton County, Georgia 30310

To: Regional Response Center, 4WD-ERRB
GAEPD
EPA-HQ, Regional Coordinator
Site File

From: Karen Buerki, On-Scene Coordinator
U.S. EPA Region 4

Site No: A4FG	Task Order No: 0206-F4-0020
ERNS No: NRC #725818	TO Amount: \$200,000
NPL Status: Non-NPL	Contractor: WRS Infrastructure and Environment
CERCLIS No: GAD984310797	Response Authority: CERCLA
State Notification: 06/22/04	Start Date: 06/22/04
Demobilization Date: TBD	Completion Date: TBD

I. INTRODUCTION

On June 22, 2004, Karen Buerki, On-Scene Coordinator (OSC), was dispatched to 1121 Allene Avenue at the request of the Atlanta Fire Department to investigate a discharge of unknown liquid to a storm drain. A removal site evaluation in accordance with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300.410, has determined that there is a threat to public health or welfare or the environment posed by the presence of approximately 1000 drums and various containers labeled or hazard categorized as flammable, corrosive, oxidizer, listed hazardous waste, or poison liquids contained in and around a dilapidated warehouse, corroded and unsecured acetylene cylinders, and a discharge of unknown chemicals to a near-by storm drain from the J&W Pallet and Drum Co. Based on the removal site evaluation, the OSC has determined that the Site presents an imminent and substantial endangerment to public health or welfare or the environment and meets the criteria for

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initiating a Removal Action under Section 300.415 of the NCP. As a result of Site conditions, immediate action pursuant to Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), is necessary at the Site.

Pursuant to EPA Region 4 Delegation 14-2. Response, authority to obligate CERCLA funding in the amount of \$250,000 to initiate Removal Actions where site conditions constitute an emergency has been delegated to the OSC. The OSC has approved the use of CERCLA funding to mitigate the threat to public health or welfare or the environment at the J&W Pallet and Drum Co. Site.

II. BACKGROUND

The Site is located at 1121 Allene Avenue, Atlanta, Fulton County, Georgia. This facility no longer has electrical or water service and the roof has collapsed on top of the drums and other containers inside. There is limited access restriction to the Site. Residential property is within walking distance. Light industrial and heavily-trafficked commercial property surround the Site.

When the facility was operational, it was used for drum recycling. The warehouse is currently full of drums and containers with residual hazardous waste in them. Seven drums have been found to be full, however, due to the condition of the roof and amount of overgrowth in the yard, the exact contents of the warehouse and property cannot be ascertained. The facility has not been operational as a permitted business since 2002, however, soil staining, factory seals, container labels, tote placards on the ground outside the front door and inside the warehouse, with dates as recent as April 2004, indicate unauthorized drum recycling has occurred. Liquid waste has accumulated on the floor and is flowing through the mortar of a blocked-up doorway.

III. THREAT

Section 300.415 of the NCP lists the factors to be considered in determining the appropriateness of a Removal Action. Paragraphs (b)(2)(iii), (v), (vi), and (vii) directly apply as follows to the conditions at the Site:

- A. 300.415 (b)(2)(iii) "Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release"

There are approximately 1000 drums and containers with hazardous substance contents crushed, toppled over, or otherwise deteriorating under a collapsed warehouse roof at this Site. The contents of these containers will continue to release unless action is taken.

- B. 300.415 (b)(2)(v) "Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released"

The collapsed roof allows rain water to wash over the drums and floor and subsequently carrying hazardous substances out to a near-by storm drain.

- C. 300.415 (b)(2)(vi) "Threat of fire or explosion"

Drums containing acids, bases, and oxidizers are commingled with solvents and other organic solutions which are incompatible. At least five acetylene cylinders were found unsecured and beginning to corrode.

- D. 300.415 (b)(2)(vii) "The availability of other appropriate Federal or State response mechanisms to respond to the release"

Georgia Environmental Protection Division is unable financially to address the problems at the Site. Action will not otherwise be provided in a timely basis.

IV. SCOPE OF WORK

With the \$250,000 emergency funding, the OSC proposes to:

- A. Establish access to the Site by clearing and grubbing.
- B. Sample containers and perform hazard categorization or obtain analytical data necessary for disposal.
- C. Provide a fence around the facility to prevent unauthorized access.
- D. Over-pack, bulk, wash, or neutralize containers and contents and provide for disposal of the contents and containers.
- E. Return the compressed gas cylinders to the vendors or treat on-site and provide for disposal of the tanks.
- F. Establish access to all of the drums and containers in the warehouse by removing or shoring unstable portions of the roof.
- G. Abate boiler insulation if the analytical indicates asbestos is present.
- H. Sample, excavate, and dispose of contaminated soil and restore the excavated area.

The authorized budget for this Emergency Removal Action is:

START-2	\$ 50,000
ERRS	<u>\$200,000</u>
TOTAL:	\$250,000 ¹

V. OSC ACTION

On June 22, 2004, the OSC determined that a release or threat of a release of hazardous substances exists at the Site. The OSC authorized \$250,000 to initiate an Emergency Removal Action to mitigate the threat to human health or welfare or the environment. Funding will come from the Regional removal allowance. The OSC issued a Task Order and Technical Direction Document to initiate an Emergency Removal Action.

Because the conditions at the Site meet the conditions set forth in Section 300.415 of the NCP, the OSC has initiated funding of this Removal Action.


 Karen Buerki, OSC
 U.S. EPA Region 4

¹Direct Costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost accounting methodology effective October 2, 2000. These estimates do not include pre-judgment interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual total costs from this estimate will affect the United States' right to cost recovery.